

(c) Availability of appropriated funds

Amounts made available under this section shall remain available until expended.

(Pub. L. 102-183, title VIII, § 811, as added Pub. L. 107-306, title III, § 333(b), Nov. 27, 2002, 116 Stat. 2397; amended Pub. L. 108-487, title VI, § 602(b), Dec. 23, 2004, 118 Stat. 3953.)

AMENDMENTS

2004—Subsecs. (b), (c). Pub. L. 108-487 added subsecs. (b) and (c) and struck out heading and text of former subsec. (b). Text read as follows: “Amounts appropriated pursuant to the authorization of appropriations under subsection (a) of this section shall remain available until expended.”

EFFECTIVE DATE

Section effective on the date the Secretary of Defense submits the report required under section 334 of Pub. L. 107-306 and notifies the appropriate committees of Congress that the programs carried out under this chapter are being managed in a fiscally and programmatically sound manner, see section 333(c) of Pub. L. 107-306, set out as an Effective Date of 2002 Amendment note under section 1902 of this title.

§ 1912. Funding for scholarship program for advanced English language studies by heritage community citizens**(a) Funding from Intelligence Community Management Account**

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, \$2,000,000 to carry out the scholarship programs for English language studies by certain heritage community citizens under section 1902(a)(1)(E) of this title.

(b) Availability of funds

Amounts made available under subsection (a) of this section shall remain available until expended.

(Pub. L. 102-183, title VIII, § 812, as added Pub. L. 108-487, title VI, § 603(b), Dec. 23, 2004, 118 Stat. 3954.)

CHAPTER 38—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY

SUBCHAPTER I—DEFINITIONS

Sec.	
2001.	Definitions relating to the system.
2002.	Definitions relating to participants and annuitants.

SUBCHAPTER II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

PART A—ESTABLISHMENT OF SYSTEM

2011.	CIARDS system.
2012.	Central Intelligence Agency Retirement and Disability Fund.
2013.	Participants in CIARDS system.
2014.	Annuitants.

PART B—CONTRIBUTIONS

2021.	Contributions to fund.
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PART C—COMPUTATION OF ANNUITIES

2031.	Computation of annuities.
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Sec.	
2032.	Annuities for former spouses.
2033.	Election of survivor benefits for certain former spouses divorced as of November 15, 1982.
2034.	Survivor annuity for certain other former spouses.
2035.	Retirement annuity for certain former spouses.
2036.	Survivor annuities for previous spouses.

PART D—BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

2051.	Retirement for disability or incapacity; medical examination; recovery.
2052.	Death in service.
2053.	Voluntary retirement.
2054.	Discontinued service benefits.
2055.	Mandatory retirement.
2056.	Eligibility for annuity.

PART E—LUMP-SUM PAYMENTS

2071.	Lump-sum payments.
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PART F—PERIOD OF SERVICE FOR ANNUITIES

2081.	Computation of length of service.
2082.	Prior service credit.
2083.	Credit for service while on military leave.

PART G—MONEYS

2091.	Estimate of appropriations needed.
2092.	Investment of moneys in fund.
2093.	Payment of benefits.
2094.	Attachment of moneys.
2095.	Recovery of payments.

PART H—RETIRED PARTICIPANTS RECALLED, REINSTATED, OR REAPPOINTED IN AGENCY OR REEMPLOYED IN GOVERNMENT

2111.	Recall.
2112.	Reemployment.
2113.	Reemployment compensation.

PART I—VOLUNTARY CONTRIBUTIONS

2121.	Voluntary contributions.
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PART J—COST-OF-LIVING ADJUSTMENT OF ANNUITIES

2131.	Cost-of-living adjustment of annuities.
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PART K—CONFORMITY WITH CIVIL SERVICE RETIREMENT SYSTEM

2141.	Authority to maintain existing areas of conformity between Civil Service and Central Intelligence Agency Retirement and Disability Systems.
2142.	Thrift Savings Plan participation.
2143.	Alternative forms of annuities.
2144.	Payments from CIARDS fund for portions of certain Civil Service Retirement System annuities.

SUBCHAPTER III—PARTICIPATION IN FEDERAL EMPLOYEES' RETIREMENT SYSTEM

2151.	Application of Federal Employees' Retirement System to Agency employees.
2152.	Special rules relating to section 2013 criteria employees.
2153.	Special rules for other employees for service abroad.
2154.	Special rules for former spouses.
2155.	Administrative provisions.
2156.	Regulations.
2157.	Transition regulations.

CODIFICATION

The Central Intelligence Agency Retirement Act, comprising this chapter, was originally enacted as the Central Intelligence Agency Retirement Act of 1964 for

Certain Employees by Pub. L. 88-643, Oct. 13, 1964, 78 Stat. 1043, as amended by Pub. L. 90-539, Sept. 30, 1968, 82 Stat. 902; Pub. L. 91-185, Dec. 30, 1969, 83 Stat. 847; Pub. L. 91-626, §§ 1-6, Dec. 31, 1970, 84 Stat. 1872-1874; Pub. L. 93-31, May 8, 1973, 87 Stat. 65; Pub. L. 93-210, § 1(a), Dec. 28, 1973, 87 Stat. 908; Pub. L. 94-361, title VIII, § 801(b), July 14, 1976, 90 Stat. 929; Pub. L. 94-522, title I, §§ 101, 102, title II, §§ 201-213, Oct. 17, 1976, 90 Stat. 2467-2471; Ex. Ord. No. 12273, Jan. 16, 1981, 46 F.R. 5854; Ex. Ord. No. 12326, Sept. 30, 1981, 46 F.R. 48889; Pub. L. 97-269, title VI, §§ 602-611, Sept. 27, 1982, 96 Stat. 1145-1148, 1152-1153; Ex. Ord. No. 12443, Sept. 27, 1983, 48 F.R. 44751; Ex. Ord. No. 12485, July 13, 1984, 49 F.R. 28827; Pub. L. 98-618, title III, § 302, Nov. 8, 1984, 98 Stat. 3300; Pub. L. 99-169, title VII, § 702, Dec. 4, 1985, 99 Stat. 1008; Pub. L. 99-335, title V, §§ 501-506, June 6, 1986, 100 Stat. 622-624; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 99-569, title III, § 302(a), Oct. 27, 1986, 100 Stat. 3192; Pub. L. 100-178, title IV, §§ 401(a), 402(a), (b)(1), (2), Dec. 2, 1987, 101 Stat. 1012-1014; Pub. L. 100-453, title III, § 302(a), (b)(1), (c)(1), (d)(1), (2), title V, § 502, Sept. 29, 1988, 102 Stat. 1906, 1907, 1909; Pub. L. 101-193, title III, §§ 302-304(a), 307(b), Nov. 30, 1989, 103 Stat. 1703, 1707; Pub. L. 102-83, § 5(c)(2), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102-88, title III, §§ 302-305(a), 306-307(b), Aug. 14, 1991, 105 Stat. 431-433; Pub. L. 102-183, title III, §§ 302(a)-(c), 303(a), 304-306(b), 307, 309(a), 310(a), Dec. 4, 1991, 105 Stat. 1262-1266; Pub. L. 102-496, title III, § 304(b), Oct. 24, 1992, 106 Stat. 3183, and was set out as a note under section 403 of this title. The Act is shown herein, however, as having been added by Pub. L. 102-496, title VIII, § 802, Oct. 24, 1992, 106 Stat. 3196, without reference to such intervening amendments because of the extensive revision and restatement of the Act's provisions by Pub. L. 102-496.

SUBCHAPTER I—DEFINITIONS

§ 2001. Definitions relating to the system

When used in this chapter:

(1) Agency

The term “Agency” means the Central Intelligence Agency.

(2) Director

The term “Director” means the Director of the Central Intelligence Agency.

(3) Qualifying service

The term “qualifying service” means service determined by the Director to have been performed in carrying out duties described in section 2013 of this title.

(4) Fund balance

The term “fund balance” means the sum of—

- (A) the investments of the fund calculated at par value; and
- (B) the cash balance of the fund on the books of the Treasury.

(5) Unfunded liability

The term “unfunded liability” means the estimated amount by which—

- (A) the present value of all benefits payable from the fund exceeds
- (B) the sum of—
 - (i) the present value of deductions to be withheld from the future basic pay of participants subject to subchapter II of this chapter and of future Agency contributions to be made on the behalf of such participants;
 - (ii) the present value of Government payments to the fund under sections 2091(c) and 2091(d) of this title; and

(iii) the fund balance as of the date on which the unfunded liability is determined.

(6) Normal cost

The term “normal cost” means the level percentage of payroll required to be deposited in the fund to meet the cost of benefits payable under the system (computed in accordance with generally accepted actuarial practice on an entry-age basis) less the value of retirement benefits earned under another retirement system for government employees and less the cost of credit allowed for military service.

(7) Lump-sum credit

The term “lump-sum credit” means the unrefunded amount consisting of retirement deductions made from a participant's basic pay and amounts deposited by a participant covering earlier service, including any amounts deposited under section 2082(h) of this title.

(8) Congressional intelligence committees

The term “congressional intelligence committees” means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(9) Employee

The term “employee” includes an officer of the Agency.

(Pub. L. 88-643, title I, § 101, as added Pub. L. 102-496, title VIII, § 802, Oct. 24, 1992, 106 Stat. 3197; amended Pub. L. 103-178, title II, § 202(a)(1), Dec. 3, 1993, 107 Stat. 2025; Pub. L. 108-458, title I, § 1071(c), Dec. 17, 2004, 118 Stat. 3691.)

PRIOR PROVISIONS

A prior section 101 of Pub. L. 88-643, title I, Oct. 13, 1964, 78 Stat. 1043, provided a short title for Pub. L. 88-643 as the “Central Intelligence Agency Retirement Act of 1964 for Certain Employees” and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

AMENDMENTS

2004—Par. (2). Pub. L. 108-458 added par. (2) and struck out heading and text of former par. (2). Text read as follows: “The term ‘Director’ means the Director of Central Intelligence.”

1993—Par. (7). Pub. L. 103-178 substituted “basic pay and amounts deposited” for “basic pay, amounts deposited” and struck out “, and interest determined under section 2121 of this title” after “section 2082(h) of this title”.

EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 401 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 401 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Section 202(b) of Pub. L. 103-178 provided that: “The amendments made by subsection (a) [amending this